App. F. IX-4

1930-31
(P.P.)

File No. 125/30

Serial Nos. 849/12

Previous References
P.P. 125-30-10
P.P. 106-29-10
P.P. 110-27-10

Later References
P.P. 125-30-10
P.P. 5-32-30,31
6-36-6
52-37-1-3
P.P. 5-4-42(1-3)

P 32

General and Revenue Secretariat.

Serial Nos. 849, 12.

Part B for Oct 32

SUBJECT.

Air Navigation in Indian States

Air Navigation Indian States

137/32
P 832

PP File No. of 1930. | General and Revenue Secretariat

Issue
Print of the resolution have been called for.
by
9.32

Resubmitted for favour of instructions as to the further action to be taken in the matter of undertaking necessary legislation etc on the lines suggested in the Resolution

CJC 1/9/32
Pol. Secy.

6 Please put up the Assistant 2/9/32

(See file regarding supply of printed copies)

Add The printed copy of the Resolution is flagged A.

by 2/9/32

(6) If a Notice in the Resolution has the State Should enact legislation on the lines of British Indian Legislation. Has the letter been done? If so a copy of their Act may be put up.

2/9/32

9) 7 Resolution has with compts to being furnish the information (vide para 8)

by 5/9/32

C 7/9

Act XIV of 1932 provides for the

Subject Air Navigation in Indian States

59

[App. F. III

General and Revenue Secretariat | PP File No. 125 of 1930.

Serial No.	
8	From the Secy to the Resident Memo No 5744/220-31 dt 29. 32 In continuation of his letter No 5792 dt 8.8.32 forwards a copy of the Resolution No 7150 dated 8.8.32 of the Govt of India laying down the principles to be observed in regard to Air Navigation in Indian States. Subd (with reference to the orders of the Chief Secy on the P.W.D:- "Right to put up." The previous file is put up kg 31/8/32 [The resolution may be got printed & copies obtained] CSR 31/8/32) Chief Secy 31/8/32 (27 Nov 31/8/32 31/8/32 3) Draft Subd kg 31/8/32 CSR (30/Nov 31/8/32 2 Supdt Govt Press Reports

P

30 AUG 1932

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

Subject: Act Navy of the Indian

137/93
P 0

PP File No. of 1930. | General and Revenue Secretariat

Issue

of the resolution have been called for.

by Govt

9.32

Resubmitted for favour of instructions as to the further action to be taken in the matter of undertaking necessary legislation etc on the lines suggested in the Resolution

(Govt 1/9/32) Genl. Secs

b Please put up the Assembly 2/9/32

(See file regarding Printed copies)

1 (sub) The printed copy of the Resolution is flagged A.

2/9/32

(b) If in order in the Resolution that the State Should enact legislation on the lines of British Indian Legislation the latter been done? If so a copy of that Act may be put up.

24/9/32

) Resolution has still complete to hand furnish the information (vide para 8)

Ca 3/9

Act XIV of 1932 provides for the

General and Revenue Secretariat | PP File No. 125 of 1930. | [App. F. III—2

Serial No.

administration and discipline of the Indian Air Force (the Indian Air Force Act, 1932) in British India. Vide Gr. of India Gazette of 3.5.1932. Sd. with refer to para 9 supra

Dom. Pol. (CB) 8/9/32

8/9/32

(1) Perhaps the enactments on the lines of which we are required to legislate here, may be definitely ascertained through the Residency; and we may also ask that copies of ~~similar~~ any enactments that may hereafter be passed in Br. India in this behalf may be sent to us from time to time to facilitate similar action being taken.

CJA 9/9/32

(2) All the legislation in British India on this matter may be collected & action taken to legislate here.

Chief Secretary

6/9/32

(3) Noted 9/9/32

6/9

SEP. 1932

NOTE—Contn. Sheet.

4)

NP File No. 12 S of 193 General and Revenue Secretariat

(4) Legislation re Air Force & Air Ships in India is contained in Acts XVII of 1911 as amended by Act XVI of 1914 and Act XIV of 1932. The former is a general act to control the manufacture, possession, use, sale, import & export of airships and the act of 1932 is intended for the administration and discipline of the Indian Air Force.

The Bill and S.C Report on the same leading to Act XIV of 1932 are herewith forwarded from a perusal of the Statement of Objects and Reasons it will be seen that the Indian Act is a Law contained one bearing the same relation to the British Air Forces Act as the Indian Army Act bears to the British Army Act.

Kind reference is also invited in this connection to principle No IV contained in the Resolution of the Govt of India re the Government essential Law for maintenance in Indian States. It is stated that the States should enforce legislation on the lines of the Indian Act

Air Navigation in Indian States

General and Revenue Secretariat

[App. F. III—2

File No. 125 of 193 0.

Serial No.

with regard to navigation of the air and the rules and regulations thereunder for the time being in force and that any changes or variations required by local conditions should be made after consultation with the British Govt

Submitted with reference

Sd/- [illegible]
24/9/32

(1) The Act of 1932 is concerning the Air force. The legislation we are about to introduce is one to regulate air navigation. A copy of the Act of 1911 with the objects & reasons if available might be put up.

G 24/9

NOTE—Contn. Sheet.

WD 70—GBPM—50,000—13-8-32.

2281/P 32 Air Navigation in Indian states

949

6

General and Revenue Secretariat | PP File No. 125 of 1930. | [App. F. III—2

Serial No.

9

From the Private Secy to His Highness
D.O. letter No C157 dated 17.10.32
forwarding for disposal letter d 10/10/32
from the Chancellor of the Chamber
of Princes requesting for an opinion
re certain points connected with
the Air Navigation in Indian States

Subd for orders.

K

20/10/32

(A copy of the Govt of
India Resolution in the matter
of Air Navigation in Indian States
is placed for reference)

(The file containing the Govt of India Resolution is in Protection No in connection with taking legislative action in the matter)

20/10/32

(1) The points raised in the letter
viz, (1) the payment of compensation for
the sites of aerodromes & the payment
of fees for landing by aircraft,
are minor points and have not been
raised in the previous
correspondence from the Residency in
the matter.

(2) The files containing the Govt
of India Resolution & connected previous files have
been sent to Protection No in connection
with legislative enactment re Air Navigation

Subd for orders.

20/10/32

(Asst Sec'y) 20/10/32

(3) These papers may be put up. Also
the summary relating to the payment
of Compensation for construction of
irrigation works Etc

21/10/32 21/10/32

NOTE—Contn. Sheet No.

WD 70—GBPM—60,000—13-8-31

Air Navigation in Indian States

7

General and Revenue Secretariat

File No.

of 193

herein
papers relating to Air Navigation
the States & sent back by the Protection
Branch) are put up.
M. file. The reading to the
Resolution of the Govt of India re
Compensation for construction of
aerodromes, embankment
Navigation Bill are also put
up. (The Summary of the Standing
Committee in the matter is flagged M)
(1) In the Govt of India Resolution
the position of Air Navigation in States
reference is invited to Clause IV (b) laying down
that
when aerodromes are constructed by the
British Govt, "the technical management
should be entrusted to the Civil
Aviation Authorities of the British
Govt, provided they are prepared to
defray all necessary expenditure
in connection therewith."
(2) The expenditure in question includes payment of
per cent of acquisition of the land required for sites,
which is regulated by the Govt of India
Resolution dated 5th May 1930. Subd.

M & W.

W

Sec'y
Offg Sec'y
U. Sec'y

General and Revenue Secretariat | P.P File No. 125 of 1930. | [App. F. III—2

Serial No.

P.U.D II

DEWAN'S OFFICE 29 OCT. 1932

(21) The Chancellors letter raises two questions which may be answered as follows:-

(1) The resolution of the Govt. of India does not seem to contemplate the construction of Aerodromes in the States except at the request of, and with funds provided by the States concerned. The question of claiming compensation for sites provided for aerodromes does not therefore seem to arise.

(2) The landing and other fees payable at Aerodromes in the States will presumably be the same as those levied at British Indian Aerodromes and will be collected on behalf of the States concerned.

(22) Both these poinsts are comparatively unimportant and do not need to be pursued, especially in view of the fact that the present arrangements, according to the Residency letter dated 9th Aug. 1932, are to be regarded as provisional. The papers may be filed.

P

26 OCT. 1932 3335

Secretary Member
Dewan ✓

26/10/32

(23) 26/10/32

(24) 27-10-32

Note—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31.

29/10/32

949

(1) File No. of 193 (2) General and Revenue Secretariat

(25) No legislation immediately on our part seems to be necessary. Aircraft & matters connected with it are federal subject & we may await the form of federal legislation on this subject. The resolutions sent by the Govt of India on this subject are stated to be provisional

(26) D. S. N. is also put up.

Chief Secretary)

4 NOV 1932
No. 2803

Ce
3/11/32

(27) Muslim Council
Dawn

RMM
3/11/32

4 NOV. 1932
No. 3701

Ce
3/11/32

(27) bc
4.11.32

(28) [illegible]

(29) [illegible]
6.11.32

2628

Submitted to His Highness.

K
U

I beg to submit herewith for the gracious information of His Highness correspondence ending with Residency letter No.5744 dated 29th August 1932 forwarding a copy of Resolution No.F.150-R/31 dated 8th August 1932 of the Government of India, Foreign and Political Department, laying down the principles to be observed in regard to Air Navigation in Indian States. It will be seen from para 4 of the Resolution that the States are to enact and enforce legislation on the lines of the British Indian Legislation with regard to Air Navigation. It is stated in paragraph V of the Resolution, that in view of the rapidity of the development of air navigation, the principles laid down therein will be regarded as provisional. There seems to be no urgent necessity to enact legislation here. Besides, "Air craft and all matters connected therewith" will form a federal subject, and it would be well to wait until the results of the Third Round Table Conference in regard to the future form of Government of India are known.

In this connection, I beg to invite reference to the Circular letter dated 1st October 1932 from the Chancellor, Chamber of Princes (received with Private Secretary's D.O. letter No.157 dated 17th October 1932) requesting to be furnished with the opinion of this Government on two points viz., claim to compensation for sites provided by the States for aerodromes and the payment of landing and other fees at these aerodromes. Both these points are comparatively unimportant and do not need to be pursued, especially in view of the fact that the construction of an aerodrome in Mysore is not under consideration.

The papers are submitted for the gracious perusal of His Highness.

M. N. Krishna Rao
Offg. Dewan.

Bangalore,
6th November 1932.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Air Navigation in Indian States.

218

Order.

~~KRM~~
8/11/32

9/11/32

RB
9/11

233

949 9

General and Revenue Secretariat.

Air navigation in Indian States

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders.* (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

....Department.

8873/9/41

FIRST MEMBER OF COUNCIL. 9/4/42

2445/9/41

SECOND MEMBER OF COUNCIL. 5/11

P.P. RG 10/11/42

NOTE.—Contn. sheet

Air Navigation in Indian States

General and Revenue Secretariat	File No. 949 of 193	[App. F. III—2

Serial No.

(P.V.D)

DEWAN'S OFFICE
02915
17 NOV 1932

Kind reference is invited to the orders at page 8 (paras 21 to 24) above. Perhaps no reply to the letter from the Chancellor of the Chamber of Princes is necessary. Sub→ for orders

by
14/11/32
(Asst Secy Protn)

No reply seems to be necessary. Even on the previous occasion no reply was sent.

(Flag C)

Chief Secretary)

C
12/11/32

RR
15/11/32

Dewan

C
16/11

Secy
15/11/32

RR
18/11/32

B

Sub→ for orders if the papers may be recorded

by
18/11/32
Asst Secy Protn

C
18/11/

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31.

Legislation by Indian States in regard to Air Navigation 1906

General and Revenue Secretariat | pp File No. 125 of 1930 | [App. F. III—2

Serial No. 12

DEWAN'S OFFICE
1 MAR. 1934
No. 5528

Letter No 1375 dated 17.2.34
from The Secy to The Resident

Suggests under the circumstances the advisability of deferring action in the matter until the British Indian Legislation has been brought into force.

Subst. No action is proposed to be taken as The Air-Craft Act matters Connected therewith are Federal Subjects. Kindly refer is invited to The Order dated 6.11.32, paras 21 & 29, in pp 125-30 - Pts 8 & 9, put up.

Flag K

JS
20/2

The suggestion is that we need not take any action until the Govt of India revise their Act, and that thereafter the Govt of India may be consulted on the form of any legislation we may adopt. No immediate action is called for

OFFICE OF THE
27 FEB 1934
6648

Submd
CPA
20/2
Secy

We had ourselves thought that there was no urgent need to enact legislation. The Govt of India also suggest that action may be deferred till they revise the present Act.

OFFICE OF THE
SECOND MEMBER OF COUNCIL
1 MAR 1934
No. 43-586

Note—Contra Sheet

WD 0434—GPB—15,000—12-10-32

Chief Secy

Secy
28/2/34

Secy
RR 20/2/34

Secy
RR 20/2/34

Secy
26/2/34

Secy
27/2/34

Dewan

Pol. 254

[R.O. 106.]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 29 August, 1932.

No. 5744 Enclos. 1
220-1931.

C-B-596

14/125-30-8

A copy of the marginally* noted Resolution is forwarded with compliments, to the Chief Secretary to the Government of H. H. the Maharaja of Mysore, in continuation of this office letter No.5287, dated the 9th August, 1932.

*No. F.150-R/31, dated the 8th August, 1932, of the Government of India, Foreign and Political Department.

379 PP 25-31-7 B 12418

for *Secretary to the Resident*

25/8

13

168-28-6-1930—5,000—RPB

MVS.

No. F. 150-R./31.

GOVERNMENT OF INDIA.

FOREIGN AND POLITICAL DEPARTMENT.

Simla, the 8th August 1932.

RESOLUTION.

The Government of India have had under consideration the question of their policy regarding Air Navigation in Indian States. A Summary of principles was placed before the Standing Committee of the Chamber of Princes, and, as a result of discussions with the Committee at their meetings held in January 1929, October 1929 and March 1930, the Summary was modified and the modified Summary placed before the Chamber of Princes at their session held in March 1931, when it was generally accepted by the Chamber.

The Summary was then circulated to Local Governments, Political Officers and Darbars for their views. These views have been examined by the Government of India, who consider that they do not necessitate further modification of the Summary. The Government of India are therefore now pleased to lay down that the following principles shall be observed in regard to Air Navigation in Indian States :—

I. It is admitted that the sovereignty of the Rulers of States—in whatever measure they severally possess it—over their territories, embraces the Air space above those territories.

II. As, however, the British Government is responsible for the defence and security of India, as a whole, its Service aircraft, Naval and Military, would be free to fly over and land in the territories of the States without restriction as regards areas, provided that in peace time, except in emergency, they would :—

(*a*) not fly over prohibited areas, nor

(*b*) land anywhere else but at places fixed by agreement with each State.

III. Also, as the foreign relations of the States are conducted by the British Government, that Government would regulate Air Navigation over the States in fulfilment of international obligations arising out of the Air Convention or otherwise, in respect of which the States have been previously consulted. Such previous consultation may be dispensed with in circumstances of emergency.

IV. The following provisions are regarded as essential for Air Navigation in the Indian States :—

(*a*) The States should urgently enact and enforce legislation on the lines of British Indian legislation with regard to navigation of the air and the rules and regulations thereunder for the time being in force. Any changes or variations required by local conditions should be made after consultation with the British Government.

(*b*) The States should provide suitable sites for the establishment of landing grounds necessary for the development of Air Navigation in India. As regards landing grounds and aerodromes, the States shall be free to construct and establish them within their own territories or invite the British Government to do so. In the former case, the technical staff employed by the State shall be fully qualified according to the standard set up by the Civil Aviation Authorities of the British Government. In the latter case, the technical management required for the efficient functioning of the aerodromes or emergency grounds should be entrusted to the Civil Aviation Authorities of the British Government, provided they are prepared to defray all necessary expenditure in connection therewith.

(*c*) Prohibited areas would be notified after consultation with the British Government. Over all parts of the State territory other than prohibited areas, all aircraft (other than foreign aircraft not entitled to admission under International Agreement) should be free to fly without previous intimation, subject to the same conditions as are prescribed for the flight of such aircraft under the International Convention.

(*d*) In order to safeguard their fiscal rights, the States should designate one or more landing grounds at or from which all aircraft, except Service aircraft of the British Government wishing to land in or depart from the State should so land or depart.

(*e*) Every State shall have the right to reserve to its national aircraft the carriage of persons and goods for hire between any two points in its territory. National aircraft in this clause means aircraft owned or specially licensed in this behalf by the State concerned subject to any reservations and restrictions established and published under Article 16 of the Convention relating to the regulation of aerial navigation.

(*f*) Since it is India as a whole that is a separate contracting party to International Air Convention:

(*i*) Indian State aircraft should be registered, certified and provided with log books by arrangement with the Civil Aviation Authorities of the British Government.

(*ii*) Indian States aircraft personnel should similarly be licensed by arrangement with the Civil Aviation Authorities of the British Government.

(*iii*) All such certificates and licenses should be liable to cancellation, etc., by arrangement with the same authorities.

[*Explanatory Note.*

Under the Convention relating to the Regulation of Aerial Navigation, India, was, for the purposes of the Convention, of necessity considered to be a single State. Among other items for which provision is made in this Convention are the following:-

(1) The registration of aircraft and their certification as airworthy, and the types and models of log books, which must be kept.

(2) The licensing of aircraft personnel, *e.g.*, pilots, engineers and navigators.

A complete record of all registered aircraft is maintained by the International Commission for Air Navigation. It is, therefore, essential that there should be in India one central register.

The main object of the detailed provisions, which are made in the Convention for the licensing of personnel, is to secure the safety of the general public travelling by air, and of persons on the ground. These provisions include medical examination, technical examination, and flying tests, for all of which a uniform system has been laid down. It is considered that a central controlling and co-ordinating authority for the whole of India will best be able to achieve the main object in view, *i.e.*, safety.]

(*g*) Provision should be made in the States' enactment for notification to the above Authorities of accidents occurring in State territories, which would be notifiable under British Indian Legislation:

(*i*) the pilot, or if the pilot were incapacitated, the owner or hirer of the aircraft concerned should notify the accident;

(*ii*) an enquiry should be instituted by the State authorities, and an officer deputed by the Government of India should be invited to attend such enquiry and should be afforded all facilities for helping the investigation and for expressing his views at the enquiry;

(*iii*) the State should as far as possible carry into effect any recommendations which such officer might find it necessary to put forward in the interests of the safety of air navigation.

(*h*) The States should inform the abovementioned authorities of any aerodromes or aircraft factories which they propose to establish within their territories, and they would agree to the inspection by such authorities of such aerodromes or factories, and they would so far as possible carry into effect any recommendations made by the officer deputed, in the interests of the safety of air navigation.

V. In view of the rapidity of the development of air navigation, the above principles will be regarded as provisional.

B. J. GLANCY,

Political Secretary to the Government of India.

WD 548—GPB—100—2-9-32

Appendix F G—1]

SUBJECT .....

.....

.....

Section PP

File No. 125-80

Serial No.

Diary No. of letter replied to .....

No. 800/P.P urgent
Sec 1

To

The Supdt,
Govt Printing

Sir,

I am directed to forward herewith a copy No 7150/R-21-8/81/32 of the Resolution of the Govt of India Foreign & Political Dept, in regard to Air Navigation in Indian states & to request that it may kindly be set in type & 100 printed copies sent very early

I have the

31/8/32

for Chief Sec

General and Revenue Secretariat

( )

the *193* .

Date of issue 31/8/32

Signed by Govt Chemmanur

List of enclosures .....

Copied by .....

Examined by .....

WD 71—GBPM—40,000—20-7-31.

C 157/Encl.1.

Vasantha Mahal,

Mysore, 16th October 1932.

174

GS. 949

PP 125-30-9

Dear Mr. Madhava Rao,

I am desired to send you herewith for favour of disposal a letter dated the 10th instant from the acting Chancellor of the Chamber of Princes asking for an opinion, to be laid before the Standing Committee, upon certain points connected with the control of Air Navigation.

Yours sincerely,

G Sethuraman

8-A
15 OCT 1932
Ilver
27th September 1932.

Your Highness,

I forward herewith the Summary relating to the question of Air Navigation, which was generally accepted by the Chamber of Princes in March 1931. Since then the following two points have arisen:—

1. What compensation, if any, should be paid to the Indian States for sites for Aerodromes, where they are constructed and managed by the British Indian Government ?
2. Should landing and other fees be payable by aircraft landing at,
   (a) Aerodromes constructed and managed by the Indian States;
   (b) Aerodromes constructed and managed by the British Indian Government on sites provided by Indian States.

The Political Secretary to the Government of India was requested by His Highness The Nawab Saheb of Bhopal, as Chancellor to have these points examined with a view to being considered by the Standing Committee. I shall be greatly obliged to Your Highness if you will favour me with your views on these points, together with any further suggestions that Your Highness may like to make. As it is proposed to discuss the question at the next meeting of the Standing Committee, an early reply is solicited.

Yours sincerely,

MAHARAO KHENGARJI,
Actg. Chancellor,
Chamber of Princes.

SUMMARY.

It is admitted that the sovereignty of the Rulers of States—in whatever measure they severally possess it—over their territories, embraces the Air space above those territories.

As, however, the British Government is responsible for the defence and security of India, as a whole, its Service aircraft, Naval and Military, would be free to fly over and land in the territories of the States without restriction as regards areas, provided that in peace time, except in emergency, they would:—

(*a*) not fly over prohibited areas, nor

(*b*) land anywhere else but at places fixed by agreement with each State.

Also, as the foreign relations of the States are conducted by the British Government, that Government would regulate Air Navigation over the States in fulfilment of international obligations arising out of the Air Convention or otherwise, in respect of which the States have been previously consulted. Such previous consultation may be dispensed with in circumstances of emergency.

The following provisions are regarded as essential for Air Navigation in the Indian States:—

(*a*) The States should urgently enact and enforce legislation on the lines of British Indian legislation with regard to navigation of the air and the rules and regulations thereunder for the time being in force. Any changes or variations required by local conditions should be made after consultation with the British Government.

(*b*) The States should provide suitable sites for the establishment of landing grounds necessary for the development of Air Navigation in India. As regards landing grounds and aerodromes, the States shall be free to construct and establish them within their own territories or invite the British Government to do so. In the former case, the technical staff employed by the State shall be fully qualified according to the standard set up by the Civil Aviation Authorities of the British Government. In the latter case, the technical management required for the efficient functioning of the aerodromes or emergency ground should be entrusted to the Civil Aviation Authorities of the British Government, provided they are prepared to defray all necessary expenditure in connection therewith.

(*c*) Prohibited areas would be notified after consultation with the British Government. Over all parts of the State territory other than prohibited areas, all aircraft (other than foreign aircraft not entitled to admission under International Agreement) should be free to fly without previous intimation, subject to the same conditions as are prescribed for the flight of such aircraft under the International Convention.

(*d*) In order to safeguard their fiscal rights, the States should designate one or more landing grounds at or from which all aircraft, except Service aircraft of the British Government wishing to land in or depart from the State should so land or depart

(*e*) Every State shall have the right to reserve to its national aircraft the carriage of persons and goods for hire between any two points in its territory. National aircraft in this clause means

aircraft owned or specially licensed in this behalf by the State concerned Subject to any reservations and restrictions established and published under Article 16 of the Convention relating to the regulation of Aerial Navigation.

(*f*) Since it is India as a whole that is a separate contracting party to International Air Convention :

(*i*) Indian States aircraft should be registered, certified and provided with log books by arrangement with the Civil Aviation Authorities of the British Government.

(*ii*) Indian States aircraft personnel should similarly be licensed by arrangement with the Civil Aviation Authorities of the British Government.

(*iii*) All such certificates and licenses should be liable to cancellation, etc., by arrangement with the same authorities.

[*Explanatory Note.*

Under the Convention relating to the Regulation of Aerial Navigation, India was, for the purposes of the Convention, of necessity considered to be a single State. Among other items for which provision is made in this Convention are the following :—

(1) The registration of aircraft and their certification as airworthy, and the types and models of log books, which must be kept.

(2) The licensing of aircraft personnel, *e.g.*, pilots, engineers and navigators.

A complete record of all registered aircraft is maintained by the International Commission for Air Navigation. It is therefore, essential that there should be in India one central register.

The main object of the detailed provisions, which are made in the Convention for the licensing of personnel, is to secure the safety of the general public travelling by air, and of persons on the ground. These provisions include medical examination, technical examination, and flying test, for all of which a uniform system has been laid down. It is considered that a central controlling and co-ordinating authority for the whole of India will best be able to achieve the main object in view, *i.e.*, safety].

(*g*) Provision should be made in the states' enactment for notification to the above Authorities of accidents occurring in States

territories, which would be notifiable under British Indian Legislation :

(*i*) the pilot, or if the pilot were incapacitated, the owner or hirer of the aircraft concerned should notify the accident;

(*ii*) an enquiry should be instituted by the State authorities, and an officer deputed by the Government of India should be invited to attend such enquiry and should be afforded all facilities for helping the investigation and for expressing his views at the enquiry;

(*iii*) the State should as far as possible carry into effect any recommendations which such officer might find it necessary to put forward in the interests of the safety of air-navigation.

(*h*) The States should inform the above-mentioned authorities of any aerodromes of aircraft factories which they propose to establish within their territories, and they would agree to the inspection by such authorities of such aerodromes or factories, and they would so far as possible carry into effect any recommendations made by the officer deputed, in the interests of the safety of air-navigation.

Delhi Printing Works, Delhi.

Pol. 953

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 1375.
220-1931

C.B- 1906

PP 125-30-12

FROM

Major C.G.N. Edwards, I.A.,
SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated, Bangalore, the 17th Feby., *1934*.

1. FEB. 1934

Subject.

Legislation by Indian States in regard to Air Navigation.

SIR,

PP 125-30

I am directed to refer to my endorsement No.5744, dated the 29th August 1932, forwarding a copy of Resolution of the Government of India, Foreign and Political Department, No.F.150-R/31, dated the 8th August 1932, laying down the principles regarding air navigation in Indian States.

2. The Indian Aircraft Act, 1911, contains certain provisions which are inconsistent with India's International Commitments. These inconsistencies have been more prominently exhibited by recent experience of the operation of the Act and Rules; and the Government of India therefore propose to undertake fresh legislation to avoid them. In the meantime it is considered undesirable that the States should take any action to legislate on the lines of the Act of 1911. I am therefore to suggest the advisability of deferring action under paragraph IV (a) of the Resolution until the projected British Indian legislation has been brought into force. Thereafter, it would be to the advantage of the Govern[illegible] of Mysore to consult the Government of India on the form of

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any legislation proposed by them, so that their legislation would, on the one hand, recognise the sovereignity of the State and, on the other, avoid all inconsistencies with the international commitments of India as a whole.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

ASB/15.2